



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/785,474	02/24/2004	2633	385	108513.00016	10	17	1

CONFIRMATION NO. 8551

Raffi J. Gostanian, Jr.
 Jackson Walker L.L.P.
 Suite 600
 2435 North Central Expressway
 Richardson, TX 75080

FILING RECEIPT



OC000000012680377

Date Mailed: 05/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John L. Tomich, Coppell, TX;
 Michael J. Vonahnen, Dallas, TX;
 Michael B. Sheehan, Prosper, TX;

Assignment For Published Patent Application

Throughput Holdings, Inc.;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/435,657 11/08/1999

Foreign Applications

If Required, Foreign Filing License Granted: 05/15/2004

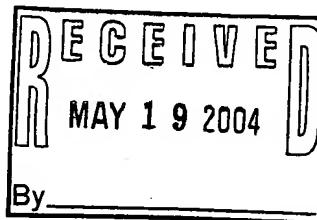
Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

5/19/04
 hydap 5/19/04



Title

Wide-signal bandwidth multi-access channel

Preliminary Class

398

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

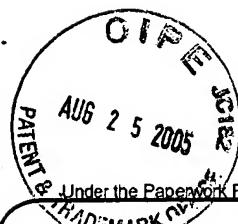
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

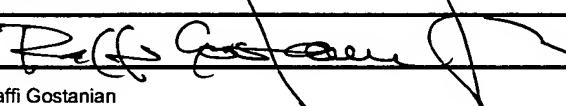
(to be used for all correspondence after initial filing)

		Application Number	10/785,474
		Filing Date	2/24/2004
		First Named Inventor	John L. Tomich
		Art Unit	2633
		Examiner Name	Kim, David S.
Total Number of Pages in This Submission		Attorney Docket Number	

ENCLOSURES (Check all that apply)

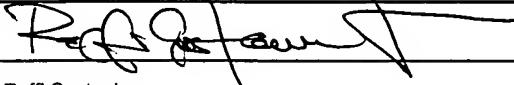
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	copy of front page of 09/435,657 application
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	copy of Declaration of 09/435,657 application
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	copy of Official Filing Receipt of 10/785,474 postcard
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	RG & Associates		
Signature			
Printed name	Raffi Gostanian		
Date	8/22/05	Reg. No.	42,595

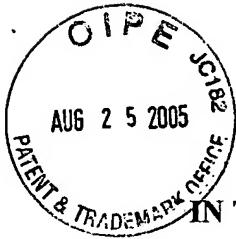
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Raffi Gostanian	Date	8/22/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John L. Tomich, et al.

Serial No.: 10/785,474

Filed: 2/24/2004

Title: **WIDE SIGNAL BANDWIDTH MULTI-ACCESS CHANNEL**

Art Unit: 2633

Examiner: Kim, David S.

ATTN: Office of Initial Patent
Examination's Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date shown below.

Date of Deposit: August 22, 2005

Signature: 
Name: Raffi Gostanian, Jr.

**OFFICE OF INITIAL PATENT EXAMINATION – FILING RECEIPT
CORRECTION**

Dear Sir:

The above referenced patent application (10/785,474) claimed priority to U.S. Application No. 09/435,657, filed on November 8, 1999, entitled "Photonic Home Area Network." However, Applicants believe the 09/435,657 patent application incorrectly received a priority filing date of November 8, 1999. The attached documentation, described in greater detail below, will provide a clear basis for an earlier priority filing date of February 29, 1996. As such, Applicants believe the above referenced patent application (10/785,474) should have a priority date of February 29, 1996.

A. Front Page of the 09/435,657 Patent Application

The first paragraph states, "This is a continuation-in-part of U.S. Nonprovisional Application serial no. 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John Tomich, et al., which is incorporated by reference for all purposes."

It is clear that the 09/435,657 patent is a CIP of the parent patent (08/607,964, now 5,983,068) which was filed February 29, 1996. As such, the 09/435,657 patent application should have been accorded the benefit of the earliest filing date which is February 29, 1996. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

B. Official Filing Receipt For Above Referenced Patent Application (10/785,474)

As can be seen from the Official Filing Receipt mailed on 05/17/2004, the above referenced patent application (10/785,474) is listed as a DIV of 09/435,657.

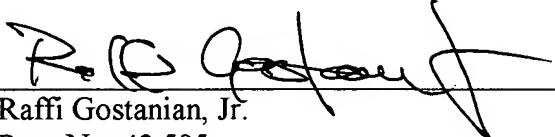
C. Declaration of the 09/435,657 Patent Application

On page 2 of the Declaration of the 09/435,657 patent application, the benefit of the parent patent (08/607,964, now 5,983,068) is claimed. As such, the 09/435,657 patent application should have been accorded the benefit of the February 29, 1996 filing date. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

Conclusions

Based on the rationale presented above, Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date and respectfully request the filing receipt be corrected to reflect this date.

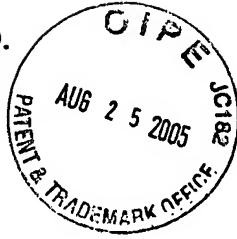
Respectfully Submitted,


Raffi Gostanian, Jr.
Reg. No. 42,595

Date: 8/22/05

RG&Associates
1103 Twin Creeks
Allen, TX 75013
972.849.1310

ATTORNEY DOCKET NO.
19447-P001CP



PATENT
APPLICATION NO. 09/435,657

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

PHOTONIC HOME AREA NETWORK

the specification of which (check one)

- is attached hereto.
- was filed on November 8, 1999
as Application Serial No. 09/435,657
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

ATTORNEY DOCKET NO.
19447-P001CP

PATENT
APPLICATION NO. 09/435,657

Prior Foreign Application(s):

Priority Claimed

(Number)

(Country)

(Day/Month/Year)

Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/607,964</u> (Application Serial #)	<u>02/29/96</u> (Filing Date)	<u>PENDING</u> (Status)
---------------------------------------------	----------------------------------	----------------------------

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

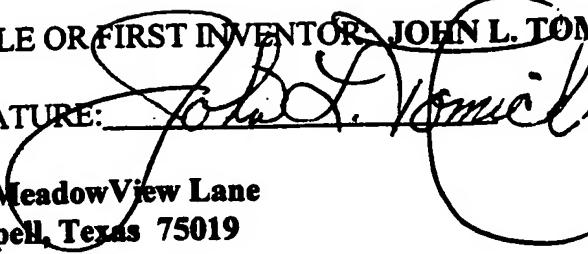
James J. Murphy, Reg. No. 34,503; Bill R. Naifeh, Reg. No. 44,962; Barry S. Newberger, Reg. No. 41,527; Henry L. Ehrlich, Reg. No. 39,663; Dwayne Mason, Reg. No. 38,959; Charles J. Rogers, Reg. No. 38,286; Robert C. Shaddock; Peter R. Lando, Reg. No. P45,513; Ross S. Garsson, Reg. No. 38,150; and Kelly Kordzik, Reg. No. 38,620.

Send correspondence to: James J. Murphy, 5400 Renaissance Tower, 1201 Elm Street, Dallas, Texas 75270-2199, and direct all telephone calls to at (214) 745-5374.

ATTORNEY DOCKET NO.
19447-P001CP

PATENT
APPLICATION NO. 09/435,657

FULL NAME OF SOLE OR FIRST INVENTOR: JOHN L. TOMICH

INVENTOR'S SIGNATURE: 

DATE: 1/20/2000

RESIDENCE: 614 MeadowView Lane
Coppell, Texas 75019

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SECOND INVENTOR: MICHAEL J. VONAHNEN

INVENTOR'S SIGNATURE: 

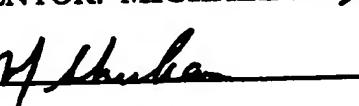
DATE: 1/22/2000

RESIDENCE: 6724 Golddust Trail
Dallas, Texas 75252

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: MICHAEL B. SCHEEHAN

INVENTOR'S SIGNATURE: 

MBS SHEEHAN

DATE: 1/22/00

RESIDENCE: 24A Rhea Mills Circle
Prosper, Texas 75078

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

:\ODMA\PCDOCS\DALIAS_1\3229801\2
1122:12179-P064P1



PHOTONIC HOME AREA NETWORK

Related Applications

This is a continuation-in-part of U.S. Nonprovisional Application serial no.

5 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John L. Tomich, et al., which is incorporated herein by reference for all purposes.

Technical Field

10 The present invention relates to a device for bi-directional routing of data for a plurality of dissimilar electronic devices, and in particular, to data routing for a plurality of dissimilar electronic devices from a common data path.